

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 OFA-01 L-03 DLOS-04 COME-00 EB-07 CG-00

DOT-00 JUSE-00 CIAE-00 INR-07 NSAE-00 OES-03 H-02

SS-15 NSC-05 PRS-01 /061 W

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FM AMEMBASSY SOFIA

TO SECSTATE WASHDC PRIORITY 9776

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E.O. 11652: NA

TAGS: EFIS, PFOR, BU

SUBJECT: SEIZURE OF BULGARIAN FISHING VESSEL ARGONAUT

REFS: STATE 143451; SOFIA 1209; STATE 137765

1. CHARGE WAS CALLED TO MFA EVENING JUNE 19 TO SEE DEPUTY MINISTER ZAKHARIEVA REGARDING SEIZURE OF BULGARIAN FISHING VESSEL ARGONAUT. ZAKHARIEVA OPENED DISCUSSION BY EXPRESSING REGRET AND ASKING FOR EMBASSY AND DEPARTMENT'S ASSISTANCE IN OBTAINING RELEASE OF VESSEL AND CREW UNDER CONDITIONS WHICH "WILL NOT PUT STRAIN ON BILATERAL RELATIONS". SHE DID NOT ATTEMPT TO DENY CHARGES PLACED AGAINST CAPTAIN AND IN FACT SAID HE WAS ACTING CONTRARY TO HIS INSTRUCTIONS WHICH WERE TO STRICTLY OBSERVE ALL LAWS AND REGULATIONS GOVERNING FISHING IN ATLANTIC WATERS. SHE STRESSED FACT THAT SHIP IS PROPERTY OF BULGARIAN STATE.

2. AFTER ASSURING ZAKHARIEVA THAT MFA'S HIGH LEVEL APPEAL WOULD PROMPTLY BE TRANSMITTED TO US AUTHORITIES, CHARGE REVIEWED CIRCUMSTANCES SURROUNDING SEIZURE OF VESSEL AND MASTER'S ACKNOWLEDGED AWARENESS OF CONTINENTAL SHELF FISH RESOURCES LAW AND POSSESSION OF COPY OF STATE DEPARTMENT NOTICE TO FOREIGN NATIONS REGARDING CSFR LAW. INFORMED THAT BECAUSE OF THIS FLAGRANT VIOLATION
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OF LAW, MASSACHUSETTS DISTRICT ATTORNEY AND FISHERIES SERVICE INTEND TO SEEK HEAVY PENALTY. CHARGE ADDED THAT SHE WOULD BE LESS THAN FRANK IF SHE DID NOT INFORM DEPUTY MINISTER THAT COMTEMPLATED PENALTY WOULD FAR

EXCEED PREVIOUS FINES.

3. DEPUTY MINISTER SAID MOST OF THIS INFORMATION HAD BEEN TRANSMITTED TO MFA BY BULGARIAN EMBASSY WASHINGTON AND INDICATED SHE KNEW MAGNITUDE OF PROPOSED FINE. SHE RESTATED FACT THAT VESSEL WAS BULGARIAN STATE PROPERTY. ADDED THAT IF SHIP'S DOCUMENTS EXAMINED IT WOULD BE FOUND THAT CAPTAIN HAD IN HIS POSSESSION GOB ORDERS TO OBEY ALL FISHING LAWS STRICTLY. SAID SHE HOPED NO ONE BELIEVED SUCH VIOLATIONS WERE SANCTIONED BY GOB. SHE AGAIN ASKED FOR DEPARTMENT AND EMBASSY ASSISTANCE IN THIS CASE. CHARGE SAID IT WAS CERTAIN THAT NO ONE THOUGHT CAPTAIN WAS OPERATING UNDER ORDERS OF GOB AND HEARTENED TO HEAR THAT CAPTAIN HAD BEEN ORDERED TO OBSERVE ALL FISHING LAWS. CHARGE PROMISED TO KEEP MFA INFORMED OF DEVELOPMENTS BUT EXPLAINED THAT DEPARTMENT HAD NO AUTHORITY IN THESE MATTERS WHICH REST WITH STATE AND FISHERIES SERVICE, AND IF SETTLEMENT CANNOT BE NEGOTIATED THEN WITH COURTS. BEST DEPARTMENT CAN DO IS TRY TO PERSUADE PARTIES INVOLVED TO REACH REASONABLE SETTLEMENT.

4. COMMENT: SINCE POSITION OF ZAKHARIEVA AND OTHERS (YANKOV AND AVRAMOV OF EIGHTH DEPARTMENT) HAS BEEN TO REGRET INCIDENT, WE BELIEVE ANYTHING DEPARTMENT CAN DO TO PROMOTE SETTLEMENT ON REASONABLE TERMS WILL BE IN BEST INTERESTS OF ALL CONCERNED. BELIEVE BULGARIANS RECOGNIZE SERIOUSNESS OF INCIDENT AND REPERCUSSIONS WHICH COULD RESULT AND WILL BE CAREFUL IN FUTURE. AN EXCESSIVE FINE (HALF A MILLION DOLLARS) ON OUR PART COULD LEAD TO SOMETHING SIMILAR HERE AND NOT NECESSARILY IN THE SAME AREA. BATJER

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